

PB# 98-08

20TH CENTURY TOWING

21-2-9

98 - 8 20th Century Towing S.P.
Union Ave - (Cuomo)

Approved 11/6/98

DATE 2/24/98 RECEIPT 341013
 RECEIVED FROM 20th Century Touring, Inc.
 Address _____
One Hundred 00 DOLLARS \$ 100.00
100
 FOR P.B. # 98-8 Application Fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	
AMOUNT PAID		CHECK	<u>100.00</u>
BALANCE DUE		MONEY ORDER	

 BY Dorothy Hansen, Clerk

DATE 2/20/98 RECEIPT 98-8 NUMBER
 RECEIVED FROM 20th Century Touring, Inc.
 Address 200 Union Ave - New Windsor, N.Y. 12553
Seven Hundred Fifty 00/100 DOLLARS \$ 750.00
 FOR Site Plan Escrow

ACCOUNT		HOW PAID	
BEGINNING BALANCE	<u>750.00</u>	CASH	
AMOUNT PAID	<u>750.00</u>	CHECK	<u>#5035</u>
BALANCE DUE	<u>-0-</u>	MONEY ORDER	

 BY Mina Mason Secretary

DATE October 19, 1998 RECEIPT 065693
 RECEIVED FROM 20th Century Touring, Inc.
 Address _____
One Hundred 00/100 DOLLARS \$ 100.00
 FOR Planning Board Approval Fee
P.B. # 98-8

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	<u>#555.5</u>
AMOUNT PAID		CHECK	<u>100.00</u>
BALANCE DUE		MONEY ORDER	

 BY Town Clerk
Dorothy H. Hansen

Wilson Jones

Wilson Jones, 1989

AMOUNT PAID		CHECK	✓	100	00
BALANCE DUE		MONEY ORDER			

BY

Dorothy Hansen, Clerk

Wilson Jones - Carbonless - S1657N-CL Tri-Partite

Wilson Jones, 1989

DATE 2/20/98 RECEIPT NUMBER 98-8
 RECEIVED FROM 20th Century Towing, Inc.
 Address 200 Union Ave - New Windsor, N.Y. 12553
Seven Hundred Fifty 00/100 DOLLARS \$750.00
 FOR Site Plan Escrow

ACCOUNT			HOW PAID		
BEGINNING BALANCE	750	00	CASH		
AMOUNT PAID	750	00	CHECK	#5035	
BALANCE DUE	-0-		MONEY ORDER		

BY

Mina Mason Secretary

Wilson Jones - Carbonless - S1657N-CL Tri-Partite

Wilson Jones, 1989

DATE October 19, 1998 RECEIPT NUMBER 065693
 RECEIVED FROM 20th Century Towing, Inc.
 Address _____
One Hundred & 00/100 DOLLARS \$100.00
 FOR Planning Board Approval Fee.
P.B. # 98-8

ACCOUNT			HOW PAID		
BEGINNING BALANCE			CASH	#5555	
AMOUNT PAID			CHECK	100 00	
BALANCE DUE			MONEY ORDER		

BY

Town Clerk
Dorothy H. Hansen

9/29/98 Eng fee?

REGULAR ITEMS:

20TH CENTURY TOWING SITE PLAN AMENDMENT 98-8

Mr. Paul Cuomo appeared before the board for this proposal.

MR. CUOMO: I think we've been here before. I have been here before, but we had to go back to the Zoning Board of Appeals.

MR. LANDER: Paul, can you tell me what variances were granted?

MR. PETRO: Side yard setback.

MR. CUOMO: Well, the variance we got here was we can use this property 17 by 31, 31 feet five inches and we've got that right to the edge, see where it says 483, we've got it right to the edge.

MR PETRO: Side yard setback 33 percent increase in the old building area, I think you're allowed 30, correct, so they added it was 3 percent over, that's why there was a second variance.

MR. CUOMO: That's right, they gave it to us. We had to have it.

MR. PETRO: This plan was previously reviewed at the 25 March '98 and April 8, '98 planning board meetings. We have highway approval on 9/4/98 and fire approval on 9/9/98. Mark, do you have any outstanding comments left on this? I think they just had to get the variances, correct? We had gone over this a couple times, wasn't there a problem with a property line, we didn't know which was the actual one to be used and I think we took the worst case scenario?

MR. EDSALL: Correct, they went to the ZBA and the ZBA approached it on the worst case scenario, so they're covered now.

MR. CUOMO: Yeah, the gor, we still have a gor, but we got the maximum use out of the property, the gor is

still existing.

MR. LANDER: Gor's still there, did we move any of the parking spaces?

MR. CUOMO: No.

MR. LANDER: Are we in front of the garage door?

MR. CUOMO: Well, those spaces are existing, I put spaces in the parking lot itself.

MR. PETRO: What Mr. Lander's asking about is the proposed addition is going to have a garage door on the face of it?

MR. BABCOCK: That's correct.

MR. CUOMO: That's correct.

MR. PETRO: So, you're going to have a parking space in front of the garage door which we can no longer use so therefore, do we have enough parking spaces remaining to accommodate the site plan once we remove the parking space?

MR. BABCOCK: Mr. Chairman, maybe I can address that. At the zoning board, when we did the denial, the disapproval, we mentioned that a possible variance for parking and because of these parking spaces that were in front of the garage doors and the zoning board minutes will reflect that they asked Mr. Cuomo and the owner of the property if the gate was locked at all times and they said no and they said as far as we're concerned, we'd rather see you stripe some of the parking areas in the back here, consider that your off-street parking, continue to use this, if you'd like. But that would be instead of getting the variance.

MR. PETRO: I'll tell you, to me, this was more of a zoning issue than even a planning board issue. If they had no problem with this, I don't think he should be held up here. They've met what they had to do.

MR. STENT: Mr. Chairman, make a motion to declare lead agency, if we haven't.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the 20th Century Towing site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: As far as negative dec goes, I think, well, I guess the public hearing will be next, but we certainly had one at the zoning board, I don't think that we have to go through that.

MR. LANDER: Andrew?

MR. KRIEGER: I don't recall anybody.

MR. PETRO: Why don't we have a motion to waive public hearing.

MR. STENT: Motion to waive the public hearing.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board waive the public hearing on the proposed addition for 20th Century Towing site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE

MR. LANDER AYE
MR. LUCAS AYE
MR. PETRO AYE

MR. STENT: Reference to the negative dec, I see no problem with it, it's already a body shop. Make a motion to declare negative dec.

MR. LUCAS: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA review process for the 20th Century Towing site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO AYE
MR. STENT AYE
MR. LANDER AYE
MR. LUCAS AYE
MR. PETRO AYE

MR. PETRO: Mark, you have no additional comments?

MR. EDSALL: No.

MR. PETRO: Members of the board?

MR. LANDER: I make a motion that we approve.

MR. STENT: Second it.

MR. LANDER: This application with the stipulation that we stripe some lines here, Paul, behind this fenced in area on their property.

MR. CUOMO: I think there is asphalt there.

MR. PETRO: Mark, there's no bond estimate for this, it's minor?

MR. EDSALL: No, I don't believe for this.

September 9, 1998

49

MR. PETRO: There's so little site plan.

MR. EDSALL: All it is is striping.

MR. BABCOCK: Mr. Chairman, we can take care of that.

MR. PETRO: Motion's been made.

MR. ARGENIO: Second it.

MR. PETRO: That final approval be given to the 20th Century Towing site plan, just subject to some striping being done on the interior of the property lines in the back yard. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765
e-mail: mhepa@ptd.net



REVIEW NAME: 20TH CENTURY TOWING SITE PLAN
PROJECT LOCATION: UNION AVENUE (CR69)
SECTION 21-BLOCK 2-LOT 9
PROJECT NUMBER: 98-8
DATE: 9 SEPTEMBER 1998
DESCRIPTION: THE APPLICATION PROPOSES A 17' X 31'-5" ADDITION ON
THE NORTH SIDE OF THE EXISTING BUILDING. THE
PLAN WAS PREVIOUSLY REVIEWED AT THE
25 MARCH 1998 AND 8 APRIL 1998 PLANNING BOARD
MEETINGS.

1. The plan presented is a basic plan depicting layout of the proposed addition and general location of the parking associated with the existing operations. The Applicant has responded to all previous review comments of our office. The Board should verify that this plan is complete and includes all necessary information they determine necessary for this application.
2. The plan notes variances received for side yard setback and a 33% increase in the existing non-conforming use. I have spoken with the Zoning Board of Appeals Chairman and he has indicated that each of these variances were granted.
3. At this time, the Planning Board should verify that the SEQRA review process and procedural requirements have been completely addressed.
4. If the Board requires any additional review of this plan, I will be pleased to perform same, as deemed necessary by the Board.

Respectfully submitted,

Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:20TH2.mk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/09/98

PAGE: 1

LISTING OF PLANNING BOARD **ACTIONS**

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 98-8

NAME: 20th CENTURY TOWNING AND AUTO BODY SITE PLAN

APPLICANT: TORPEY, PATRICK

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/06/98	PLANS STAMPED	APPROVED
09/09/98	P.B. APPEARANCE	LA:ND WVE PH APPROVE
09/02/98	WORK SESSION APPEARANCE	REVISE & NEXT AGENDA
08/05/98	WORK SESSION APPEARANCE	REVISE & RET. TO WS
07/01/98	WORK SESSION APPERANCE	REVISE & RET. TO WS
06/17/98	WORK SESSION APPEARANCE	RET. TO WS
04/08/98	P.B. APPEARANCE	REFER TO ZBA
04/01/98	WORK SESSION APPEARANCE	REVISE & SUBMIT
03/25/98	P.B. APPEARANCE	REVISE&RET. TO W.S.
01/07/98	WORK SESSION APPEARANCE	SUBMIT
05/07/97	WORK SESSION APPEARANCE	RETURN TO WS

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/09/98

PAGE: 1

LISTING OF PLANNING BOARD **FEEs**
APPROVAL

FOR PROJECT NUMBER: 98-8

NAME: 20th CENTURY TOWNING AND AUTO BODY SITE PLAN

APPLICANT: TORPEY, PATRICK

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/09/98	P.B. APPROVAL FEE	CHG	100.00		
10/13/98	REC. CK. #5555	PAID		100.00	
			-----	-----	-----
		TOTAL:	100.00	100.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/19/98

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 98-8

NAME: 20th CENTURY TOWNING AND AUTO BODY SITE PLAN
APPLICANT: TORPEY, PATRICK

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/19/98	REC. CK. #5035	PAID		750.00	
03/25/98	P.B. ATTY. FEE	CHG	35.00		
03/25/98	P.B. MINUTES	CHG	40.50		
04/08/98	P.B. ATTY. FEE	CHG	35.00		
04/08/98	P.B. MINUTES	CHG	13.50		
09/09/98	P.B. ATTY. FEE	CHG	35.00		
09/09/98	P.B. MINUTES	CHG	22.50		
10/02/98	P.B. ENGINEER FEE	CHG	447.00		
10/19/98	RET. TO APPLICANT	CHG	121.50		
			-----	-----	-----
		TOTAL:	750.00	750.00	0.00

Given to L.R. 10/19/98

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/09/98

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 98-8

NAME: 20th CENTURY TOWNING AND AUTO BODY SITE PLAN
APPLICANT: TORPEY, PATRICK

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	09/03/98	MUNICIPAL HIGHWAY	09/04/98	APPROVED
REV1	09/03/98	MUNICIPAL WATER	09/08/98	APPROVED
REV1	09/03/98	MUNICIPAL SEWER	/ /	
REV1	09/03/98	MUNICIPAL FIRE	09/09/98	APPROVED
ORIG	02/19/98	MUNICIPAL HIGHWAY	02/25/98	APPROVED
ORIG	02/19/98	MUNICIPAL WATER	02/26/98	APPROVED
ORIG	02/19/98	MUNICIPAL SEWER	03/03/98	APPROVED
ORIG	02/19/98	MUNICIPAL FIRE	02/27/98	APPROVED

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/09/98

PAGE: 1

LISTING OF PLANNING BOARD **SEQRA** ACTIONS

FOR PROJECT NUMBER: 98-8

NAME: 20th CENTURY TOWNING AND AUTO BODY SITE PLAN

APPLICANT: TORPEY, PATRICK

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	02/20/98	EAF SUBMITTED	02/20/98	WITH APPLICATION
ORIG	02/20/98	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	02/20/98	LEAD AGENCY DECLARED	09/09/98	TOOK LEAD AGENCY
ORIG	02/20/98	DECLARATION (POS/NEG)	09/09/98	DECL. NEG. DEC.
ORIG	02/20/98	PUBLIC HEARING	09/09/98	WAIVED PUB. HEAR
ORIG	02/20/98	AGRICULTURAL NOTICES	/ /	

----- x
In the Matter of the Application of

PATRICK J. TORPEY

#98-17.
----- x

**MEMORANDUM OF
DECISION TO PERMIT
EXPANSION OF NON-
CONFORMING USE**

WHEREAS, PATRICK J. TORPEY, dba 20th Century Towing, 200 Union Avenue, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a finding for expansion of a non-conforming use per Section 48-24B(3) and construction of an addition for the above location in a PI zone; and

WHEREAS, a public hearing was held on the 8th day of June, 1998 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared before the Board in behalf of the application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a commercial property located in a PI zone.

(b) The property is used in variance of the regulations because of a pre-existing, non-conforming use.

(c) The Applicant seeks to expand this pre-existing, non-conforming use by construction of an addition of not more than 30% of the existing property.

(d) There is a dispute with respect to the location of the side yard property line nearest to the proposed addition. If the property line is as it appears on the tax map then no variance is necessary. If the property line is as it has appeared on one survey, than a side yard variance of 30 ft. would be necessary in order to permit construction of the proposed addition.

(e) The size and shape of the property is unique and there appears to be no location other than the location proposed by the Applicant for the construction of this addition. Any other location would apparently interfere with parking for the facility and its operation.

(f) No trees or shrubs will have to be removed in order to construct the addition.

(g) The addition, if allowed, would not interfere with the course of any drainage of water or create any ponding or collection of water.

(h) The variances sought for the purpose of constructing an addition which will contain a spray booth for the painting of automobiles. This booth will be entirely self-contained and no fumes or noxious materials will be expelled into the environment.

(i) The Applicant acknowledges that if this variance and expansion are granted, he may make no further application for expansion of this property.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variance requested is substantial in relation to the Town regulations but nevertheless is warranted.
4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood of zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variance is granted outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance.
9. With the granting of this area variance, the proposed expansion will not be greater than 30% of the existing facility and is permissible pursuant to the New Windsor Zoning Code.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor finds that the Applicant may expand his pre-existing, non-conforming use per Section 48-24B(3) by 30% and construct his addition to the business known as 20th Century Towing located at 200 Union Avenue in a PI zone in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: August 10, 1998.

_____/s/ James Nugent_____
Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4630
Fax: (914) 563-4693

Office of Zoning Board of Appeals

June 12, 1998

Patrick J. Torpey
20th Century Towing, Inc.
200 Union Avenue
New Windsor, N. Y. 12553

RE: APPLICATION FOR FINDING - #98-17

Dear Mr. Torpey:

This is to confirm that your above application before the Zoning Board of Appeals was resolved in the following manner:

Finding: Section 48-24B.(3) Applicant is allowed to expand his non-confirming use by 30 ft. to the property line.

This decision was made at the June 8, 1998 meeting of the ZBA. Please be advised that a formal decision will follow shortly.

Very truly yours,

Patricia A. Barnhart, Secretary
Zoning Board of Appeals

/pab

cc: Planning Board
B.I.

RECEIVED

JUN 04 1998

ZONING BOARD OF APPEALS
Regular Session
June 08, 1998

AGENDA:

BUILDING DEPARTMENT

7:30 p.m. - ROLL CALL

Motion to accept minutes of 05/11/98 meeting as written. *APPROVED*

PRELIMINARY MEETING:

- UP P/H* 1. BLOOMER, FRANK - Request for use variance for dog grooming shop at residence located at 110 Union Avenue in R-4 zone. (19-4-92). *72*
- UP P/H* 2. MANS, C. P. - Referred by P.B. for (1) 52,079 s.f. lot area, (2) 101 ft. lot width, (3) 27.5 ft. front yard, (4) 34 ft. total side yard variances to establish Vails Gate Rentals & Power Annex ~~or~~ former ambulance building on s/s Route 94 in C zone. (70-1-3). *NEXT TO*
- UP P/H* 3. ACUNZO/SMITH - Request for use variance to allow used car sales and rentals (Jim Smith Chevrolet) at 556 Route 207 in an NC zone. (3-1-23.1)

PUBLIC HEARINGS:

- MOVED* 4. TORPEY, PATRICK - Referred by P.B. for finding for expansion of non-conforming to construct addition at 20th Century Towing building located at 200 Union Avenue in a PI zone. (21-2-9).
- MOVED* *AS A NON-CONFORMING USE* 5. WALTKE, ROBERT S. - Request for interpretation and/or use variance as to pre-existence or non-conformity of three-family residence in NC zone located at 1097 Rt. 94. (67-5-5).
- MOVED* 6. de Milt, Brendan - Request for 9 ft. side yard and 9 ft. rear yard variances for existing shed located at 336 Nina Street in an R-4 zone. *73-2-16*
- MOVED* 7. WELLER FRED - Request for 8 ft. front yard and 6 ft. rear yard variances for existing shed located at 18 Nee Avenue in R-4 zone. (48-4-11).

Formal Decisions: (1) *① SIMONI* *③ BAJAROTZI*
② MIELE *④ REDDINGS*

Pat - 563-4630 (o) or 562-7107 (h)

APPROVED

ZONING BOARD OF APPEALS

Regular Session

May 11, 1998

REVISED AGENDA:

7:30 p.m. – ROLL CALL

Motion to accept minutes of the 4/13/98 and 4/27/98 meetings as written.

PRELIMINARY MEETING:

SET UP
FOR P/H

1. TORPEY, PATRICK – Referred by PB for finding as to whether he is expanding his non-conforming use under Sec. 48-24B(3), located at 200 Union Avenue (20th Century Towing) in a PI zone. (21-2-9).

SET UP
FOR P/H

2. WELLER, FRED – Request for 7 ft. side yard and 6 ft. rear yard variances for existing shed at 18 Nee Avenue in an R-4 zone. (48-4-11).

SET UP
FOR P/H

3. MID-VALLEY OIL – Referred by PB for request for 25.0 ft. front yard variance for canopy and 2 parking spaces at BP Station located on Rt. 9W in an NC zone. (14-4-1).

PUBLIC HEARINGS:

APPROVED

4. OAKWOOD TERRACE HOUSING – Request for 1 ft. maximum structure height to construct a 6 ft. fence in variation of Sec. 48-14C(1) of the Suppl. Yard Regs. (structure between principal building and street) located off Route 94 in an R-5 zone. (44-1-37).

APPROVED

5. COLONI, RICHARD B. – Request for 10 ft. front yard variance for existing front deck and 2 ft. rear yard variance for existing rear deck located at 3011 Rt. 9W in an R-4 zone. (48-1-3.1).

APPROVED

6. CICCONE, ANTHONY – Request for 8 ft. rear yard variance to construct a 10 x 14 ft. addition to residence located at 33 Oxford Road in an R-4 zone. (6-6-4.2).

DECISION: REDDINGS

Pat – 563-4630 (o)
562-7107 (h)

DISAPPROVED

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

#1 ZBA 5-11-98
SET UP FOR P/H
#2 ZBA 6-8-98
APPROVED

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 98-8

DATE: 1 MAY 1998

APPLICANT: PAT TORPEY

200 UNION AVE

NEW WINDSOR NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 1-13-98

FOR (~~SUBDIVISION~~) - SITE PLAN) _____

LOCATED AT UNION AVE 233 1/2 FT SOUTH OF

MACARTHUR AVE ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: 71 BLOCK: 2 LOT: 9

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

REQUIRES FINDING FOR EXPANSION OF
NON-CONFORMING USE PER CODE SECTION
48-24(B)(3).



MARK J. EDTALL P.E. for
MICHAEL BABCOCK,
BUILDING INSPECTOR

REQUIREMENTS

PROPOSED OR
AVAILABLE

VARIANCE
REQUEST

ZONE PI USE _____

MIN. LOT AREA

MIN. LOT WIDTH

REQ'D FRONT YD

REQ'D SIDE YD.

REQ'D TOTAL SIDE YD.

REQ'D REAR YD.

REQ'D FRONTAGE

MAX. BLDG. HT.

FLOOR AREA RATIO

MIN. LIVABLE AREA

DEV. COVERAGE

O/S PARKING SPACES

~~PRE-EXISTING NON-CONFORMING USE~~
~~NOT APPLICABLE~~

4.83.

REVISED
6-8-98

30' FT

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

POSSIBLE ZBA REFERRALS20TH CENTURY TOWNING

Mr. Paul Cuomo and Mr. Pat Torpe appeared before the board for this proposal.

MR. CUOMO: We were here last time, we were here last meeting and we had to do a few minor adjustments and getting ready for the ZBA and that is where we'd like to go, I'd like to be sent to.

MR. PETRO: What were the minor adjustments? Why don't you bring us up to date?

MR. CUOMO: Well, I believe they were so minor I forgot. Oh, the parking lot, oh, we didn't do that, this is what we didn't do, I'm sorry, we were supposed to put the doors in, I've got them in front but I don't have them on the side. I can do it the next time I come around.

MR. BABCOCK: The side door I don't think is necessary.

MR. PETRO: What did we do to resolve the property line?

MR. EDSALL: Well, what we had was to the workshop Paul brought a copy of the actual survey and on the actual survey, they found the discrepancy as well. So I think at this point, we have shown that it was a licensed surveyor that's found this gap. If they ask for a variance, they are taking more conservative approach that they are looking to obtain the worst case scenario variance, if in fact sometime in the future they find out that he owns the property, in fact--

MR. PETRO: It would improve the situation?

MR. EDSALL: It would improve the situation, but I would suggest that you bring that original survey copy to the ZBA.

MR. CUOMO: Okay.

MR. EDSALL: So they can work over the surveyor's plan.

MR. PETRO: I don't want to spend a lot of time, we gave it conceptual approval. What's going to happen, he is going to be sent to the zoning board, then we can review it as a planning board.

MR. TORPE: What are we going to the zoning board for, parking and the property line?

MR. EDSALL: Property and the side yard variance and as well, they need a finding from the Zoning Board relative to the 30 percent expansion or up to 30 percent expansion.

MR. PETRO: Doesn't look like he is going to have the 30 percent.

MR. EDSALL: It's less than 30 percent but it's under that section.

MR. BABCOCK: The law requires the ZBA to make a finding on that.

MR. PETRO: You have that?

MR. CUOMO: Yes.

MR. PETRO: Make sure when you come back they are on the plan.

MR. KRIEGER: Make sure when you get to the zoning board, you ask for everything you need, you need some parking, you need some side yard, be sure to ask.

MR. EDSALL: We'll include in the referral the variance for all the spaces.

MR. KRIEGER: It would be counterproductive to show up again.

MR. PETRO: Can I have a motion to approve?

MR. STENT: Motion we approve 20th Century.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the 20th Century site plan on Union Avenue. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	NO
MR. LUCAS	NO
MR. LANDER	NO
MR. STENT	NO
MR. PETRO	NO

MR. PETRO: You have now been referred to New Windsor Zoning Board for your necessary variances. If you are successful in receiving those variances, this board will again review your application for further planning board review. Thank you.

MR. EDSALL: We'll do the referral.

MR. CUOMO: Do you have comments?

MR. EDSALL: Yes.

MR. CUOMO: Are you going to do the referral?

MR. EDSALL: We'll do the referral and I think you have the comments.

RESULTS OF P.B. MEETING OF: April 8, 1978

PROJECT: 20th Century Survey **P.B.#** 988

LEAD AGENCY:

NEGATIVE DEC:

1. **AUTHORIZE COORD LETTER:** Y__ N__

M)__ S)__ VOTE: A__ N__

2. **TAKE LEAD AGENCY:** Y__ N__

CARRIED: YES__ NO__

M)__ S)__ VOTE: A__ N__

CARRIED: YES__ NO__

WAIVE PUBLIC HEARING: M)__ S)__ VOTE: A__ N__ **WAIVED:** Y__ N__

SCHEDULE P.H. Y__ N__

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M) 5 S) 14 VOTE: A 0 N 5 yr.

RETURN TO WORK SHOP: YES__ NO__

APPROVAL:

M)__ S)__ VOTE: A__ N__ **APPROVED:** _____

M)__ S)__ VOTE: A__ N__ **APPROVED CONDITIONALLY:** _____

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

<u>West side draws on plan</u>
<u>Bring original survey to Z.B.A.</u>
<u>Parking Variance</u>
<u>Side Yd.</u>



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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: 20TH CENTURY TOWING SITE PLAN
PROJECT LOCATION: UNION AVENUE (CR 69)
SECTION 21 - BLOCK 2 - LOT 9
PROJECT NUMBER: 98-8
DATE: 8 APRIL 1998
DESCRIPTION: THE APPLICATION PROPOSES A 12' X 31' ADDITION ON
THE NORTH SIDE OF THE EXISTING BUILDING. THE
PLAN WAS PREVIOUSLY REVISED AT THE 25 MARCH 1998
PLANNING BOARD MEETING.

1. The Applicant has revised the plan in response to my previous review comments. At this time I believe the application is adequate for referral to the Zoning Board of Appeals for necessary action.
2. This is a pre-existing, non-conforming use, which is seeking an expansion in accordance with Section 48-24(B)(3) of the Town Zoning Code. The Zoning Board of Appeals will need to make a finding relative to this proposed expansion. As well, they will need to consider the need for a side yard variance and parking variance in connection with this site.
3. Once the Applicant has completed their application with the ZBA and they return to the Planning Board for further review, I will be pleased to review any items or concerns, as deemed necessary by the Planning Board. I suggest that the Planning Board advise the Applicant, at this meeting, of any other additional information they require on the plan for the resubmittal to this Board.

Respectfully submitted,


Mark J. Edsall, P.E.

Planning Board Engineer

MJesh

A:century.sh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

NEW WINDSOR PLANNING BOARD MEETING
TOWN HALL
WEDNESDAY, MARCH 11, 1998 - 7:30 P.M.

TENTATIVE AGENDA

CALL TO ORDER
ROLL CALL

APPROVAL OF MINUTES DATED: JANUARY 14, 1998
JANUARY 28, 1998

ANNUAL MOBILE HOME PARK REVIEW:

APPROVED a. MT. AIRY MOBILE HOME PARK - Mt. Airy Road (Johnson) APPROVED

POSSIBLE Z.B.A. REFERRALS:

CK# 2162
\$455⁰⁰/₁₀₀

- No show 1. 20TH Century Towing Site Plan (98-8) Union Avenue (Cuomo)
↓
2. Vails Gate Rentals - Mans, Casey Site Plan (95-35) Rt. 94 Vails Gate (Cuomo)

PUBLIC HEARING:

TO RETURN 3. PENNINGS SUBDIVISION (98-7) Lake Road (Pfau)

REGULAR ITEMS:

- APPROVED 4. REAPPROVAL of : Rock Tavern Greens Sub. (96-10) Off Rt. 207 (Leone)
No show 5. Rt. 32 Storage Area - Mans, Casey Site Plan (98-2) Rt. 32 (Cuomo)

DISCUSSION

6. Stevenson Lumber Site Plan (97-4) (Edsall)
TO RETURN TO PLANNING BOARD
ADJOURNMENT

(NEXT MEETING - MARCH 25, 1998)

March 11, 1998

24

20TH CENTURY TOWING
MANS-VAILS GATE ANNEX
MANS-STORAGE AREA

MR. PETRO: Does anybody know what happened to Mr. Cuomo tonight? This is his second time, I believe.

MR. BABCOCK: Maybe the third.

MR. PETRO: Because he does have three items on tonight's agenda, he's not here, I hate to close the meeting but there's no one left in the audience and no other applicants. Anybody have anything else they want to discuss tonight?



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**TOWN OF NEW WINDSOR
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REVIEW NAME: 20TH CENTURY TOWING SITE PLAN
PROJECT LOCATION: UNION AVENUE (CR69)
SECTION 21-BLOCK 2-LOT 9
PROJECT NUMBER: 98-8
DATE: 11 MARCH 1998
DESCRIPTION: THE APPLICATION PROPOSES A 12' X 31' ADDITION ON
THE NORTH SIDE OF THE EXISTING BUILDING.

REISSUED 25 MAR 98

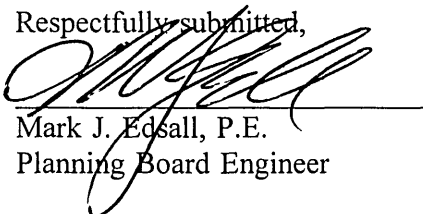
1. The plan is a very basic plan, which depicts the location of the proposed addition. The plan indicates the need for a side yard variance, although I believe some determinations must be made by the Planning Board Attorney to properly classify this application and resolve some issues concerning the necessary variances, if so required. Please note the following:
 - a. The existing use is a non-conforming use for the PI Zoning District and no bulk requirements are, therefore, included in the PI Zoning Table. As such, I do not understand on what basis the "required" bulk information has been determined on the plan table.
 - b. Insofar as this is a pre-existing non-conforming use, would not the provisions of 48-24(B)(3) apply, relative to extensions of non-conforming uses? Extensions up to 30% are permitted with a finding of the Zoning Board of Appeals. As far as the necessary setbacks for the proposed addition, the ZBA should consider same as part of their determinations.
 - c. The plan indicates a "gore" between property lines on the north side of the building (the side involved in the proposed addition). Given the direct involvement of this area relative to the considerations of the Planning Board and Zoning Board, I would think that some additional effort should be made by the Applicant's licensed land surveyor in an attempt to resolve this property line discrepancy. It may be inadvisable to have the Planning Board and Zoning Board consider the addition until a better understanding of the property line discrepancy can be determined.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: 20TH CENTURY TOWING SITE PLAN
PROJECT LOCATION: UNION AVENUE (CR69)
SECTION 21-BLOCK 2-LOT 9
PROJECT NUMBER: 98-8
DATE: 11 MARCH 1998

2. With regard to the plan submitted, as I indicated above, this initial submittal is not detailed and is a basic layout plan. The Board may wish to consider the following issues, before referring this plan to the Zoning Board of Appeals, as their decision may effect the need for certain variances. Please note the following:
 - a. Four (4) existing parking spaces are provided, although all four (4) would appear to encroach into the County roadway right-of-way. As well, the Board may wish to question whether any of these four (4) spaces block access to the bays noted on the plan (the location of the bays or doors has not been indicated).
 - b. The parking requirements calculation indicates the calculation for bays and office space. Is there any other floor area outside the bays? If so, additional spaces are required per the Zoning Code and a greater variance may be required.
3. At such time that the Zoning Board has completed their action on this plan, and it returns to the Planning Board for further reviews, I will be pleased to review same. At that time, the Board must decide what additional information is required on the plan, such that they believe same is complete and acceptable for site plan approval consideration.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:20TH.mk

POSSIBLE Z.B.A. REFERRALS:

20TH CENTURY TOWING SITE PLAN -(98-8) UNION AVENUE

Mr. Paul Cuomo and Mr. Pat Torpe appeared before the board for this proposal.

MR. CUOMO: Good evening, this is a site plan of 20th Century Auto. Basically what he wants to do is that he wants to add just one bay for what?

MR. TORPE: I want to put a spray booth in.

MR. CUOMO: That is basically what this is all about, even though we have a site plan here.

MR. TORPE: It's going to be really a dead bay is what it is, I'm just going, it's going to be three walls and a garage, it is going to contain a spray booth.

MR. LANDER: You have to go to zoning board for side yard, is that right?

MR. CUOMO: Yes, he has to go to zoning for side yard, let me look at the line up there.

MR. PETRO: Paul, why did you show 8.17 feet on the further point or you showed 4.83 feet, is that what that is, Pat, the spray booth is going to be one of those contained units?

MR. TORPE: Yeah, it is already, I got the booth and everything.

MR. PETRO: You're going to put a booth inside the bay so when it's vented it's going to be with the DEC vents?

MR. TORPE: The booth's in the shop already. What I am doing is just taking the booth from the one bay and just putting it in there so I can fit like three more cars so I can do bigger or better business, I don't know how you should word that.

MR. LUCAS: You have to go up pretty soon.

MR. TORPE: Yeah, I was thinking about that, Ron, I'll eventually buy again but I'm having problems here and there.

MR. STENT: What's the square footage of the existing building?

MR. TORPE: It's 65 x 30, what is that, almost 1,800, 2,000 square feet or 1,950?

MR. PETRO: Mark, up to 30 percent, how big is the building now? Are we, we're not in excess of the 30 percent are we? Doesn't look like it.

MR. BABCOCK: No.

MR. PETRO: So that is not our problem.

MR. TORPE: Plus we're by the railroad tracks, that helps.

MR. LANDER: And there's no rear yard on that because of the tracks.

MR. TORPE: It's a dead spot, it's like a wasted space.

MR. LANDER: I see property owner on this piece in between is gore properties?

MR. TORPE: Yeah.

MR. LANDER: Who owns that who owns that piece there?

MR. TORPE: Tax is saying me, but when the survey comes out, it goes like this and it's kind of nobody's.

MR. LANDER: Give you the bill?

MR. TORPE: Yeah, I got the bill, I'm covering it.

MR. CUOMO: Well, Mark, you would know what's the definition of a gore?

MR. EDSALL: I think a lot of times when you look at initial surveys, you may find errors between two, it means that the surveyor has to do a bit of research to find out where the surveys match and find out where this black hole came from.

MR. TORPE: You want the honest truth on it? Years ago, it's like an old grandfather thing, one property is overlaying another piece, that is what he said, that is why they call it like a no-man's, it's really mine and it's really his but on the tax map, it's showing me but the guy really doesn't have a problem with anything. Matter of fact, I use it, I use that hole side, he let's me park me stuff there, he's pretty good.

MR. PETRO: Mark, the four spots in the front, aside from the fact that they encroach out, they obviously they are in front of some bays, an entranceway to the building. Now, I don't know what else he can do to circumvent that, obviously, he can go up on the yard there.

MR. TORPE: Not much of that is even mine, Jim, the property comes 30 feet from the center line to the county, it's mine, but it's technically not--

MR. PETRO: Up on the side where all the storage is.

MR. TORPE: Okay.

MR. STENT: You can put parking there.

MR. PETRO: You're not allowed to have a parking spot in front of a garage, that is only common sense, so you are going to have to show parking for the building. Paul, do you understand what I am saying? You can't show it in front of the garage.

MR. LANDER: Instead of four, show it somewhere else.

MR. TORPE: Show it in the yard instead of the front.

MR. CUOMO: We can do that.

MR. STENT: He has a bay door on that side, so you have to make sure you're not blocking it with the parking spots.

MR. TORPE: It's over to this side.

MR. PETRO: Got to understand you can't just show parking, you need to have the parking for customer use and handicapped parking.

MR. TORPE: I don't have any customers.

MR. PETRO: Then we don't need to go any further then, that is all, just forget about it.

MR. EDSALL: Maybe that it is impractical for him to have the four spaces put someplace else, what you may want to do is just discuss the fact if that is where they have always been, it works fine, if he needs a variance for a couple spaces, what I am trying to do is get the list complete, if he needs more variances, let's figure it out and let him ask for them cause he sure as heck can't put them in a fenced area.

MR. PETRO: There is quite a few comments from Mark on this sheet and I really think we need to go back to a workshop and work some of these out, Paul, and get it on the plan and at that point, come back, we'll make a referral to the zoning board because the plan is quite incomplete.

MR. TORPE: For parking?

MR. PETRO: Well, parking is one issue also that the engineer for the planning board is stating that you really should resolve that to a point and get a licensed surveyor and find out who really owns it because if you indeed own it, your variances may not be what you're asking for.

MR. TORPE: What do you mean?

MR. PETRO: Well, they'll be less of a variance, I don't know if you'll need a variance if you own that gore piece of property.

MR. TORPE: But I want to go right to the end, you know what I mean?

MR. STENT: But that may not be the end is what Jim's saying.

MR. PETRO: You have got to go for an exact variance.

MR. TORPE: But I just had it surveyed and that is the map, I'm even going off of, but what my surveyor told me was, Mr. Kennedy did it first, and Kennedy, it says everything is perfect, straight, he did it all right. My surveyor came down and did it. What he did was research all the records, what he says was years ago, he says it's kind of like both of yours, it's actually one piece of property almost overlaying on top of another piece.

MR. PETRO: You need to resolve that definitely one way or another to find out who owns the property so you have an exact.

MR. TORPE: I own it.

MR. CUOMO: I don't know if he can resolve it, Jim, what he could do probably is put the results of this, I don't know if it can ever be resolved.

MR. TORPE: I own this line showing on the New Windsor tax map.

MR. PETRO: Why are you asking for a variance to the other line?

MR. TORPE: Because my building is still not going to be the right amount of footage.

MR. STENT: Why is that line showing if that is your line on the angle?

MR. PETRO: Which line is it is what we're saying.

MR. TORPE: I figure this is what it was, I didn't want to go changing lines around.

MR. PETRO: It's not that you are going to change them, somebody's got to find out.

MR. TORPE: He's only going to do what he researches.

MR. PETRO: How did you find out who owns the property?

MR. TORPE: I went to the town and they told me it's mine.

MR. LUCAS: He's got on there now is what his surveyor says he is going for the right variance because what do we care, why would we care if it doesn't go all the way over if he's asking for a variance on that line for 8.7 feet.

MR. TORPE: Give it a little time, I'm going to end up buying that piece too.

MR. CUOMO: You're right, that is all we care about, we just care about that.

MR. PETRO: You're saying he is going for the smaller variance?

MR. LUCAS: Let him go for the smaller variance.

MR. PETRO: But it still doesn't clear up the plan.

MR. LUCAS: But the other thing is I know customers that come to the place park in front and--

MR. TORPE: They park in the bar.

MR. LUCAS: We can show it on the map and he can put the parking to the left of the building but they are still going to pull in front.

MR. TORPE: Even with all the grandfathered stuff, I have to like actually set parking spots up that way too or--

MR. PETRO: Well, you're changing the site plan.

MR. TORPE: Cause I'm adding the bay.

MR. PETRO: Site plan is changing, so it has to be brought up to code.

MR. TORPE: So I need four spots per bay?

MR. EDSALL: You really need to show us the location of the bay doors so we can have an idea on layout, that way if you needed a variance, you can know and you can get it while you're at the ZBA so you don't have to go twice.

MR. BABCOCK: You may not be able to meet today's current zoning with parking, if you don't, you need to get a variance for that while you're at the zoning board.

MR. TORPE: Why don't I shoot for that.

MR. EDSALL: Cause the plan's just got to be clear as to what exactly you need.

MR. TORPE: So the plans not going to cut it.

MR. EDSALL: I don't believe so, as it is currently but Paul can add more information on it.

MR. PETRO: That is what I am suggesting.

MR. TORPE: I thought we sat down at workshop and squared it all out.

MR. PETRO: He didn't come back with enough that is proper and what he needs.

MR. TORPE: I thought we did all that.

MR. EDSALL: I don't this is complete.

MR. PETRO: There is two pages of problems that is what I am going by.

MR. TORPE: I thought we--

MR. EDSALL: I think it's important and again, it's not possible for Paul to make this property line issue go away, I mean it's got to be a surveyor that tells us. As engineers, we don't do property surveys.

MR. LUCAS: But it was surveyed and if he's going for a side yard variance for that amount.

MR. EDSALL: This is an awful big black hole and I don't think that the Zoning Board is going to be comfortable reviewing something when they are totally unsure where the property line is. So I think why fool ourselves, why not have the surveyor even if he can show the information, the history of it at least it will be on the record.

MR. TORPE: It's on record with the town if you go to the tax maps.

MR. EDSALL: Tax maps just are not property surveys, they are purely for paying taxes, that is it.

MR. TORPE: But I just did all that, so all my survey is showing right now is that is mine.

MR. LUCAS: Surveyor is not going to change that line.

MR. PETRO: That is not the only issue, if that were the only issue, we can go around it but he has--

MR. LANDER: That and the parking.

MR. TORPE: We'll just leave it as the parking then.

MR. PETRO: Basic bulk information is not proper on the plan table, you have the other two issues, the parking requirements calculation for bays and office space, that's got to be taken care of and at such time the planning board must complete their action on this plan, it must decide additional information required on the plan and once the plan is complete and acceptable, to be sent to the ZBA, I don't believe it is at this point yet, I'm not saying that we're not going to, just clear up the plan, we'll put you on the next agenda, if everything is in order. There's only those few items,

it would be like sending a car back to somebody with only a primer on it, I want to have it right. If any of the other board members want to take a vote, I will listen to a motion, but I think what I am saying should stand, so I want to send it back to a workshop, get it done properly.

MR. TORPE: We have to square up the parking then?

MR. PETRO: Take a copy of Mark's comments, okay, and when you go to the next workshop, bring that. Paul you can probably get started on it and get it straightened out. I don't see any other difficulties. You're grandfathered in, you're only going for the one side yard variance. I don't see a problem with it, but you have got to do it right.

MR. STENT: Variance, I don't have a problem with that.

MR. TORPE: I'm going to have to do a variance for the parking no matter what.

MR. PETRO: While you're going to do all your variances at one time because you wind upcoming back here, we can't approve this because you didn't get the variance, you have to go back and do it again. Does anybody disagree?

MR. LUCAS: No.

MR. PETRO: Thank you.



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**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor

P/B # 98-8

WORK SESSION DATE: 1 APR 98

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: Not now

new plan

PROJECT NAME: 20th Cent.

PROJECT STATUS: NEW _____ OLD X

REPRESENTATIVE PRESENT: PVC. / Pat T

MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Working off Kennedy survey
Dwg # 98-936 12/21/88

3 exist bays + (new
(4x3) + 1

Plan mark up to be returned

Scopier
Poss Agenda 4/8

4MJE91 pbwsform

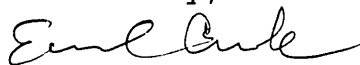
68 Long Hill Road
Highland Mills, N.Y. 10930
January 30, 1998

Mr. Patrick J. Torpey
% 20th Century Towing
200 Union Avenue
New Windsor, N. Y. 12553

Dear Pat:

This is to advise that I have no objection to your extension of your present building which is located next door to my property on Union Avenue.

Yours truly,



Earl Cronk

98 - 8

RECEIVED FFB 1 9 1998



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

RECEIVED

SEP 04 1998

N.W. HIGHWAY DEPT

PLANNING BOARD FILE NUMBER: 98 - 8

DATE PLAN RECEIVED: RECEIVED SEP 3 1998

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved ✓

disapproved _____.

If disapproved, please list reason _____

W. James Cullen 9/14/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: New Windsor Planning Board

FROM: Town Fire Inspector

DATE: September 9, 1998

SUBJECT: 20th Century Towing

Planning Board Reference Number: PB-98-8

Dated: 3 September 1998

Fire Prevention Reference Number: FPS-98-053

A review of the above referenced subject site plan was conducted on 4 September 1998.

This site plan is acceptable.

Plans Dated: 1 April 1998 Revision 2

A handwritten signature in black ink, appearing to read "Robert F. Rodgers". The signature is stylized with a large, looped initial "R" and a cursive "F".

Robert F. Rodgers; C.C.A.
Fire Inspector

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 8

DATE PLAN RECEIVED: RECEIVED SEP 3 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

20th Century body Shop has been

reviewed by me and is approved L

~~disapproved~~ _____.

~~If disapproved, please list reason~~ _____

Call water dept. if make-out is
needed.

HIGHWAY SUPERINTENDENT

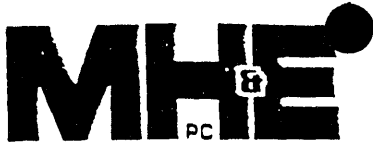
DATE

Steve D. D. V.
WATER SUPERINTENDENT

9-8-98
DATE

SANITARY SUPERINTENDENT

DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF NEW WINDSOR P/B # 98 - 8

WORK SESSION DATE: 9-2-98

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: _____

PROJECT NAME: 20th Century

PROJECT STATUS: NEW X OLD _____

REPRESENTATIVE PRESENT: PVC

MUNIC. REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

17 x 31.5 = 535.5 exist 1624.9 32.9%

30% 48-24 (B)(3)
trif > get variance determination clarified

Parking still not corrected per
w/s 8/5/98 comment

Pat will get me latest letter from ZSA

next agenda

4MJJE91 pbwsform



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**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor

P/B # 98-8

WORK SESSION DATE: 5 AUG 98

APPLICANT RESUB.
REQUIRED: Yes

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: 20th Century

PROJECT STATUS: NEW _____ OLD X

REPRESENTATIVE PRESENT: Pat Torpey; PVC

MUNIC. REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

17x31 addition $\frac{527}{1581} = 33.3$
57.98x existing

Variances granted by ZBA 6/9/98 for
side yard setback and 34% increase
of building area

Parking - get variance?
per Mike B - ZBA said to stripe area behind gate.
take off references to variance
show 13 spaces in
fenced area

4MJ91 pbwsform



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Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF

NEW WINDSOR

P/B # 98 - 8

WORK SESSION DATE:

1 JULY '98

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED:

Yes

Yes

PROJECT NAME:

20th Century

PROJECT STATUS:

NEW

OLD

X

REPRESENTATIVE PRESENT:

Pat Torpy / PVC

MUNIC REPS PRESENT:

BLDG INSP.

FIRE INSP.

ENGINEER

PLANNER

P/B CHMN.

OTHER (Specify)

X

X

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

appears 30% exp nonconf + 30' side
was granted

need accurate dimension of bldg
if 51 x 31, max 15.3 x 31 addition
permitted.

add variance notes.

May need more variances

4MJE91 pbwsform



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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

(TOWN/VILLAGE OF NEW WINDSOR) P/B # 98 8
WORK SESSION DATE: 17 JUNE 98 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: Yes REQUIRED: new plan
PROJECT NAME: 20th Century
PROJECT STATUS: NEW ~~X~~ OLD X
REPRESENTATIVE PRESENT: PVC
MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Got some variances (one)
48-24B(3) finding expand non-conformity
by 30 ft to prop line?
30%
Also got 30' variance for side yd.
PVC needs to talk to Torrey what
width is needed for spray booth.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 8

DATE PLAN RECEIVED: RECEIVED FEB 19 1998

RECEIVED

FEB 25 1998

NEW HIGHWAY DEPT

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____ has been

reviewed by me and is approved ✓

disapproved _____.

If disapproved, please list reason _____

W. James Queller 2/25/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 8

DATE PLAN RECEIVED: RECEIVED FEB 19 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

20th Century Towing + Auto body has been
reviewed by me and is approved ☒

~~disapproved~~ _____.

~~If disapproved, please list reason~~ _____

If any change in service notify water
dept.

HIGHWAY SUPERINTENDENT DATE

John D. [Signature] - 2-26-98
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

MEMO

To: New Windsor Planning Board

From: Town Fire Inspector

Subject: 20th Century Towing

Date: 27 February 1998

Planning Board Reference Number: PB-98-8

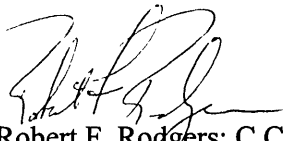
Dated: 19 February 1998

Fire Prevention Reference Number: FPS-98-009

A review of the above referenced subject site plan was conducted on 27 February 1998.

This site plan is acceptable.

Plans Dated: 7 January 1998 Revision 1



Robert F. Rodgers; C.C.A.
Fire Inspector

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 8

DATE PLAN RECEIVED: RECEIVED FEB 19 1998

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

... 20th Century Towing has been
reviewed by me and is approved ✓

disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT _____ DATE _____

WATER SUPERINTENDENT _____ DATE _____

[Signature] 3/3/98
SANITARY SUPERINTENDENT _____ DATE _____



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # 98 - 8

WORK SESSION DATE: 7 Jan 98 APPLICANT RESUB.
REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: Not now

PROJECT NAME: 20th Century Towing S/P

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: Pat T; PVC

MUNIC REPS PRESENT: BLDG INSP.
FIRE INSP. MCJ
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

non-conf pre exist use in PI
bulk per C zone for certain repair garages
bulk table marked up by MJE

Show parking spaces - ZBA for side yd
parking.

Plan to MJE for review

Possible next week

8/A

4MJ91 pbwsform

98 - 8

Licensed in New York, New Jersey and Pennsylvania



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Change _____ Site Plan ☒ Special Permit _____

Tax Map Designation: Sec. 21 Block 2 Lot 9

1. Name of Project 20th CENTURY TOWING AND AUTO BODY
2. Owner of Record 20th CENTURY Phone 565-9144
Address: 200 UNION AVE NEW WINDSOR NY 12553
(Street Name & Number) (Post Office) (State) (Zip)
3. Name of Applicant PAT TORPEY Phone 565-9144
Address: 200 UNION AVE NEW WINDSOR NY 12553
(Street Name & Number) (Post Office) (State) (Zip)
4. Person Preparing Plan PAUL V. CUOMOPE Phone 567-0063
Address: STEWART INT. AIRPORT 12553
(Street Name & Number) (Post Office) (State) (Zip)
5. Attorney _____ Phone _____
Address _____
(Street Name & Number) (Post Office) (State) (Zip)
6. Person to be notified to appear at Planning Board meeting:
PAUL CUOMO 567-0063
(Name) (Phone)
7. Project Location:
On the W side of UNION AVE 233 feet
(Direction) (Street) (No.)
S of MAC ARTHUR AVE
(Direction) (Street)
8. Project Data: Acreage 0.202 Zone P1 School Dist. NEWBURGH

98 - 8

PAGE 1 OF 2

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9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No X

*This information can be verified in the Assessor's Office.

*If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".

10. Description of Project: (Use, Size, Number of Lots, etc.)
AUTO BODY SHOP EXPANSION

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no X

12. Has a Special Permit previously been granted for this property? yes _____ no X

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

13th DAY OF January 1998

Patricia A. Barnhart

NOTARY PUBLIC

PATRICIA A. BARNHART
Notary Public, State of New York
No. 01BA4904434

Qualified in Orange County
Commission Expires August 31, 1999

TOWN USE ONLY:

RECEIVED FEB 19 1998
DATE APPLICATION RECEIVED

[Signature]
APPLICANT'S SIGNATURE

Patrick Torrey
Please Print Applicant's Name as Signed

98 - 8
APPLICATION NUMBER

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

PAT TORPEX deposes and says that he resides
(OWNER)

at 25 Blooming Grove Tpk in the County of Orange
(OWNER'S ADDRESS)

and State of NY and that he is the owner of property tax map

(Sec. 21 Block 2 Lot 9)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in

the foregoing application and that he authorizes:

PAUL V. CUOMO
(Applicant Name & Address, if different from owner)

PAUL V. CUOMO PE
(Name & Address of Professional Representative of Owner and/or Applicant)

STEWART INT. AIRPORT
to make the foregoing application as described therein.

Date: 2/18/98

Myra Mason
Witness' Signature

[Signature]
Owner's Signature

Patrick Torpey
Applicant's Signature if different than owner

Paul V. Cuomo
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

RECEIVED FEB 19 1998

98 - 8

TOWN OF NEW WINDSOR PLANNING BOARD

SITE PLAN CHECKLIST

ITEM

1. ☒ Site Plan Title
2. ☒ Applicant's Name(s)
3. ☒ Applicant's Address
4. ☒ Site Plan Preparer's Name
5. ☒ Site Plan Preparer's Address
6. ☒ Drawing Date
7. ☒ Revision Dates
8. ☒ Area Map Inset
9. ☒ Site Designation
10. ☐ Properties within 500' of site
11. ☐ Property Owners (Item #10)
12. ☒ Plot Plan
13. ☒ Scale (1" = 50' or lesser)
14. ☒ Metes and Bounds
15. ☒ Zoning Designation
16. ☒ North Arrow
17. ☒ Abutting Property Owners
18. ☒ Existing Building Locations
19. ☒ Existing Paved Areas
20. ☒ Existing Vegetation
21. ☒ Existing Access & Egress

22. ☒ Landscaping
23. ☒ Exterior Lighting
24. ☒ Screening
25. ☒ Access & Egress
26. ☒ Parking Areas
27. ☒ Loading Areas
28. ☒ Paving Details (Items 25 - 27)
29. ☒ Curbing Locations
30. ☒ Curbing through section
31. ☒ Catch Basin Locations
32. ☒ Catch Basin Through Section
33. ☒ Storm Drainage
34. ☒ Refuse Storage
35. ☒ Other Outdoor Storage
36. ☒ Water Supply
37. ☒ Sanitary Disposal System
38. ☒ Fire Hydrants
39. ☒ Building Locations
40. ☒ Building Setbacks
41. ☒ Front Building Elevations
42. ☒ Divisions of Occupancy
43. ☒ Sign Details
44. ☒ Bulk Table Inset
45. ☒ Property Area (Nearest 100 sq. ft.)
46. ☒ Building Coverage (sq. ft.)
47. ☒ Building Coverage (% of total area)
48. ☒ Pavement Coverage (sq. ft.)
49. ☒ Pavement Coverage (% of total area)
50. ☒ Open Space (sq. ft.)
51. ☒ Open Space (% of total area)
52. ☒ No. of parking spaces proposed
53. ☒ No. of parking spaces required

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. ✓

Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.

37. ✓

A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: Paul H. Lyons

Licensed Professional

Date

98 - 8

RECEIVED FEB 19 1998

PROJECT I.D. NUMBER

617.21

SEQR

Appendix

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR PAT TORPEX	2. PROJECT NAME 20 TALENT AUTO BODY
3. PROJECT LOCATION: Municipality TOWN OF NEW WINDSOR County ORANGE CTY	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) WEST SIDE OF UNION AVE 233 FT SOUTH OF MAC ARTHUR AVE	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: ADDING WORK BAY TO BODY SHOP	
7. AMOUNT OF LAND AFFECTED: Initially 0.202 acres Ultimately 0.202 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: AUTO BODY SHOP	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals ZONING BD OF APPEALS PLANNING BD	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: PAUL V. CUOMO Date: JAN 8	
Signature: Paul V. Cuomo 1998	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

98 - 8

RECEIVED FEB 19 1998

ATTACHMENTS

A. Flood Hazard Area Development Permit Application Form.

B. Certificate of Compliance ☒

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

NOT IN
FLOOD HAZARD
AREA

Paul W. Brown

98 - 8

RECEIVED FEB 19 1998